of black wine under a white paper. At nine years of age was given to masturbation. The dynamometer gave 46 for the left hand, 53 for right. Motility: gait awkward; speech stammering; writing good; knee-jerk exaggerated; had a simian agility since infancy. He walks often without consciousness of where he goes; this is one form of propulsive epilepsy; at certain moments there comes to him a desire to destroy everything, and often he does it. He does not believe in any religion. He sleeps uneasily; commenced to like wine at ten; was forgetful; smoked; liked gambling; is fond of striking; knows the criminal slang. His father was 44 at the birth of S. C.; his mother 50; his father drank much, but supported the wine, and was never in jail. The mother played much at lottery; his sister was mother of thirteen sons, all healthy, except one who died, disease unknown. He was studious in his four elementary classes; said he never had difficulty in learning. He reads the *Cronaca dei Tribunali*. He does not like the present system of government; would like the republican form. In infancy he suffered with *ematurie* and neuralgia.

Le crime politique et le misonéisme. CESARE LOMBROSO. Nouvelle Revue, 15 Fév. et 1er Mars, 1890.

This article, by one of the founders of Criminal Anthropology, shows some of the broader social aspects of the science of crime. While a certain freshness of experience brings enjoyment, suspicion and hatred of the new (misoneism) is deep-seated and characteristic in society and the individual, most so in the feeble and primative. Innovators, reformers, geniuses are opposed, and, since even they do not escape this law, oppose each other. The same law pervades religion and pedagogy. Disregard of the misoneistic feeling in sudden and violent attempts at progress is anti-social and a crime. Revolutions are distinguished from revolts and seditions in being normal steps of advance; they do not excite conservative reaction; they have high aims and moral causes; they appeal to people of all classes; they reach success in spite of loss of leaders; they are rare and characteristic of advanced nations. Revolts and rebellions are the reverse of all these; society is not prepared for them, they are abortions. In doubtful cases society itself decides, by accepting or rejecting the attempted advance, whether the attempt is a revolution or a rebellion.

Mittheilungen der internationalen kriminalistischen Vereinigung; Heft 1, Februar, und Heft 2, Juli, Berlin, 1890.

The International Penal Law Association was founded in 1889; principally through the efforts of Prof. Franz von Liszt of the University of Halle. It will be seen from the principles advocated by the association (given below) that it takes the most advanced views in practical criminology.

The International Penal Law Association holds that crime and punishment should be considered from the sociological as well as from the juristic standpoint. Its fundamental propositions are: (1) The purpose of punishment is to oppose crime as a social phenomenon. (2) The results of anthropological and sociological investigations are therefore to be considered. (3) Punishment is one of the most effective means of opposing crime, but not the only one, and therefore should not be separated from other remedies, especially that of prevention. (4) The distinction between occasional criminals and habitual criminals is of fundamental theoretical, as well as practical, importance, and therefore serves as a basis for the determining of penal legislation. (5) Since the administration of penal justice and its execution have the same purpose, they should not be separated, for in addition the judicial sentence gains its content and meaning from the execution of the punishment. (6) As the restriction of freedom rightly takes first place in our penal

system, the Association devotes itself to efforts for the improvement of prisons and related institutions. (7) Yet the Association holds that the substitution of short restraints of liberty for other penalties of equal efficacy is possible and desirable. (8) In long restraints upon liberty, the duration of punishment is to depend not only upon the results of penal procedure, but on that of penal execution. (9) Penal legislation, even in cases of frequent repetition of small offenses, is to place incorrigible habitual criminals beyond the possibility of doing harm for as long a time as possible.

There are 487 members in the Association, representing almost all countries of the world. The American members are: Mr. Z. R. Brockway, Rev. F. H. Wines, R. P. Falkner, Clark Bell and A. MacDonald.

We give below a short résumé of the reports of the Association for July, 1890:

Question II, c. Is it necessary and suitable to make the treatment of young criminals depend upon the distinction, whether they have acted with sufficient knowledge of their guilt? John Foinitzki, Professor of Penal Law in St. Petersburg, answers in the negative, and comes to the following conclusions: (1) This criterion is indeterminate, and leaves no sure ground for the distinction of the act, and leads to mistaken results. (2) The opinion as to the inadequacy of the criterion is more and more acknowledged; it has lost its former importance, and the work of the judge in applying it is useless. (3) Another criterion must be used which should include the general estimate of the personality of the youth; it must give ground for deciding whether the youth should come under public guardianship, and what measures are to be employed as suitable to his condition. It should be assumed that: (a) measures of punishment in the ordinary sense should not be applied; (b) it would be desirable that the passage from the procedure, determined by one court, to another, be made easy, and that this passage be looked upon as necessary, and that it correspond to the change in the individual physical condition of the young criminal.

Question II.—Is forced-labor without imprisonment adapted to take the place, in certain cases, of temporary punishment? V. J. Baumgarten, Docent in the University of Budapest, answers that forced labor without imprisonment is not a substitute for restraint upon freedom, but a substitute for a fine. With the working out of the fine, a social injustice is at the same time taken out of the world, which exposes to the economical and moral injuries from the short restraint upon freedom just that class in society which possesses the least power of resistance against injuries.

Question III.—Can and should legislation be occupied more than ever before with the element of civil reparation for the infraction of the rights of the injured party? Prof. Bernardino Alimena of the University of Naples, in answer says: At present the compensation to victims of crime is almost illusory, and without doubt the first purpose of legislation is to destroy the evil effects of crime; and if it cannot revive the victim, who has been killed, it should make the evil felt as little as possible by his sons. (a) Damages for voluntary crimes. For grave crimes, where the restrictive penalty is necessary, damages should always follow the penalty, and never be substituted for it, nor diminish it. If the criminal is solvent, he may pay with his property, and this credit will be privileged in preference to all other credits. In lesser crimes, in which imprisonment would be inutile, one can study and experiment with care. An example is given in the code of Germany which permits the penal judge to pronounce a fine in favor of the offended, to the amount of 6000 marks ($1500). (b) Damages for involuntary crimes and for cases of civil responsibility: In involuntary misdemeanors it would be necessary almost always to apply the penalty in favor of the

injured party. This penalty should not interfere with the civil damages in cases where the money paid by this penalty is not sufficient for the reparation of the damages. For the cases of non-culpability followed by civil responsibility, one cannot speak of a penalty transformable into imprisonment. The damages should be obtained in the ordinary way. A treasury for penalties should be instituted. The treasurer should pay in cases where the guilty, for a sufficient reason, *e. g.*, his death, his flight, etc., does not pay; or he should anticipate alimony in all cases where the victim is very poor and the payment will not be made soon. For this, money earned in prison should be divided into four parts: 1. For the victim until payment of the debt determined by the magistrate. 2. For the State. 3. For the coffer of penalties. 4. For the benefit of the condemned.

Question IV.—How is the incorrigibility of an habitual criminal to be determined; and what measures against these criminals are to be recommended? Prof. von Lilienthal of Marburg answers in brief: Those who have repeated relapses, from which crime appears as an outcome, are to be considered as incorrigible. Two kinds are distinguished, one resting upon hereditary taint or acquired degeneration; the other upon a criminal manner of life industrially. In answer to the second part of the question there should be: (1) Institutions for the high degrees of degeneration; (2) Institutions for the dangerous incorrigible, whether degenerated or not; these might form a special division of the present penitentiaries; (3) Work-houses for those who are not dangerous,—like the present work-houses. Perhaps they could in part be combined with them.

Internationale kriminalistische Vereinigung; Erste Landesversammlung der Gruppe deutsches Reich. Halle a. S., den 26 und 27 März, 1890.

The German division of the International Penal Association met in March, and discussed the following questions: 1. Under what presuppositions, is the introduction of the conditional sentence into German legislation expedient? 2. How is the fact of recidivation to be determined legally; and what means of punishment are to be recommended for the incorrigible? After many varied modifications, the Association finally voted on the following questions: 1. Is recidivation to be assumed if the new and former criminal act lie in the same penal grade, as designated by legislation? 2. Should recidivistic superannuation be admitted? 3. Should repeated recidivation form a necessary ground for sharpening the punishment? 4. Is a relatively increased restraint upon freedom to be recommended as a means of punishment for repeated recidivation, with the permission of imprisonment in the workhouse as a consequence? 5. Should the law touch upon regulations which ensure the permanent separation of evil-doers (considered by the penal magistrate as incorrigible), into special divisions: of prison, work-house or insane asylum? 6. Should a conditional release, after five years' detention, be granted to those considered incorrigible? The Association affirmed unanimously questions 1, 2, 3 and 6; and by a large majority questions 4 and 5. Another question was: Is it expedient to prepare jurists practically and theoretically [*i. e.*, by training in psychiatry, criminology, etc.] for the penal executive? (*a*) before; (*b*) after the States' examination. The main question was almost unanimously affirmed. After the laying aside of the subordinate question *a*, subordinate question *b* received a large majority of the votes.

Compte général de l'administration de la justice criminelle, 1887. Revue Scientifique. 8 Mars, 1890.

The official report of criminal justice in France for 1887, published in 1889, gives a good idea of French criminality. On looking at the maps